

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION**

ROBERT ROBINSON,

Plaintiff,

v.

WARDEN GETER/FCI TEXARKANA,

Defendant.

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CIVIL ACTION NO. 5:18-CV-00113-RWS

**ORDER**

Petitioner Robert Robinson, proceeding *pro se*, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. The Court referred this matter to the Honorable Caroline M. Craven, United States Magistrate Judge, for consideration pursuant to 28 U.S.C. § 636. The Magistrate Judge submitted a Report and Recommendation recommending that the petition be dismissed without prejudice because the petition does not concern the fact or duration of Robinson's confinement, and his claim therefore cannot be pursued in a petition for writ of habeas corpus. Docket No. 4.

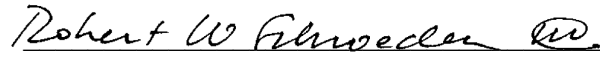
The Court has considered the Report and Recommendation of the United States Magistrate Judge along with the record and pleadings. Robinson received the Report and Recommendation on March 13, 2020, and acknowledged receipt on April 13, 2020. Docket No. 5. No parties filed objections to the Report and Recommendation. Accordingly, Robinson is not entitled to *de novo* review by the District Judge of those findings, conclusions and recommendations, and except upon grounds of plain error, he is barred from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court.

Nonetheless, the Court has reviewed the pleadings in this case and the Report of the Magistrate Judge and agrees with the Report of the Magistrate Judge. *See United States v. Raddatz*, 447 U.S. 667, 683 (1980) (“[T]he statute permits the district court to give to the magistrate’s proposed findings of fact and recommendations ‘such weight as [their] merit commands and the sound discretion of the judge warrants . . . .’”) (quoting *Mathews v. Weber*, 23 U.S. 261, 275 (1976)).

The Court hereby **ADOPTS** the Report and Recommendation of the United States Magistrate Judge as the findings and conclusions of this Court. Accordingly, it is

**ORDERED** that the action is **DISMISSED WITHOUT PREJUDICE**.

**So ORDERED and SIGNED this 20th day of April, 2020.**

  
ROBERT W. SCHROEDER III  
UNITED STATES DISTRICT JUDGE